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SUBJECT: WITH NATIONAL ASSEMBLY MANDATES APPROVED, KEY PLAYERS RESHUFFLE TO MEET TONIGHT'S DEADLINE

REF: KINSHASA 1499

**¶1.** (U) Summary: With the mandates for newly-elected National Assembly delegates approved, the eight-day delay period for all members to accept or reject their seats expires October 11. As a result, the 49 members elected to the National Assembly who have also been serving as Ministers, governors, presidential advisors, or heads of parastatals during the transitional government must resign in order to become deputies. Those signatories to the Sun City Accord who received authority to appoint their members to certain positions retain the right to name the replacements for those who resign. In a move likely to further complicate the already complex end of the transition, President Kabila has signed several decrees appointing new PPRD officials to some key posts, and more new appointments will inevitably follow. End summary.

**¶2.** (U) The official time period for newly-elected deputies to take up their positions began October 3, the date mandates were approved in a plenary session of the new Assembly. According to the DRC's new constitution, any elected deputy who holds an appointed position under the transitional government (or, more technically, "a position incompatible with their new mandates") is required to resign from his/her previous position within eight days from the time the deputies' mandates are validated. As of 1800 on October 11, those who have not submitted a resignation will lose their elected seats, and the deputy's stand-in (named when each candidate submitted his or her nomination papers to the Independent Electoral Commission) will become the new deputy. Although many have already resigned, other resignations are expected to be submitted up to the last possible minute.

**¶3.** (U) One of the interesting twists is that those signatories to the Sun City Accord who had the original authority to appoint a transitional government incumbent (such as the PPRD, RCD-G, MLC, RCD-N, Mai-Mai, civil society, and political opposition) still retain authority to appoint his/her replacement. While it is conceivable that the government could have left many of these positions empty, most of the positions will likely be filled with lame-duck appointees who have little capacity to govern well or wisely. The possibility for confusion could reach epic proportions.

**¶4.** (U) While only the PPRD has made a list of new appointments public, even this preliminary list of those affected is a "Who's Who" of transitional government figures: Interior Minister Mbemba (replaced by General Denis Kalume Numbi), Minister of Health Emile Bongeli (new: Augustin Kashongwe), Minister of Industries Mukendi Tshiabmula (new: Philomene Omatuku), Minister of Energy Salomon Banamuhere (new: Augustin Ngozi Ngolu); and the governors of Kasai

Occidental Tshiongo Tshibikubula wa Ntumba (new: Mutombo Bakafwa Nsenda) and Bas-Congo Tsasa di Tumba (new: Jacques Mbadu). Other key personalities likely to be replaced include Presidential Advisors Antoine Ghonda, Vital Kamerhe, Augustin Katumba, and Kikaya Bin Karubi. Non-PPRD positions include Ministers of Justice, Agriculture, Mines, Public Administration, Planning, Budget, Portfolio, Rural Development, Public Works and Infrastructure, and Tourism; and Governors or Vice Governors of Kasai Occidental, Kasai Oriental, North Kivu, and Katanga provinces. We will update the actual list in septel.

¶5. (SBU) Comment: This new transition, while sanctioned by the Constitution, is creating political and financial havoc at a vulnerable time. The problems of appointing competent replacements and avoiding a power vacuum are compounded by the cost of appointing new ministers for the relatively short time between October 11 and the inauguration of the new government, scheduled for December 10. Even though it is necessary to have ministers, vice ministers, governors, vice governors and heads of parastatals in the vacated positions during the interim, it is unlikely that anybody could develop effectiveness or expertise in such a short time -- and each of the temporary replacements, as well as those resigning to become members of the National Assembly, will in turn become eligible for costly expenses, benefits, and severance packages. End comment.

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